IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
Civil Application No. 5991/2007 in F.A.No.607/07
Keith De' Fugueiredo s/o Late Mr. Ep'lham vs. Mrs. Marie Colette w/o Keith De'Fugueiredo

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Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders.

CORAM : A.P. Lavande & R.V.More,JJ
DATE : 1.10.2007

Heard Ms. Rane, learned counsel for the appellant and Mr. K.V.Thomas, learned counsel for the respondent.

2. By this application, the appellant seeks access to his children viz. Kenan and Mariana who are presently schooling at Nasik. By Judgment and decree dated 16.7.2007 the Family Court at Nagpur has dissolved the marriage between the appellant and the respondent under section 10 of the Divorce Act. Admittedly, the respondent along with her children is residing at Nasik where she is working as a teacher.

3. The appellant and respondent were directed to submit modalities of the access to the children and pursuant to the said directions the parties have submitted the same in writing.

4. We have heard the learned counsel for the parties and perused the suggestions given by both sides in writing regarding the access.

5. Having heard the learned counsel for the parties and having considered the suggestions made by both the parties and considering the rights of the parties and the interest of the minor children we pass the following order.

i) The appellant is allowed to meet daughter Mariana and son Kenan at Nasik on 2nd and 4th Sunday of every month;

ii) The appellant shall be given access to the children from 10.00 a.m. to 1.00 p.m. and 3.00 p.m. to 6.00 p.m. on above day.

iii) The appellant is allowed to have access to his children on their birthdays for one hour between 5 to 6 p.m.. He is also permitted to give birth day gifts to the children.

iv) During the vacation whenever the respondent visits her maternal house at Nagpur with her

children, the appellant is permitted to meet the children at their place of stay after giving prior intimation to the respondent and fixing the visit programme, for a maximum duration of two hours during the day time.

The application stands disposed of.

Judge **Judge**

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